

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Harriette Anne Taylor,

Plaintiff,

v.

Michael J. Astrue,
Commissioner of Social Security,

Defendant.

Civil Action No. 6:11-1148-SB

ORDER

This matter is before the Court on the Plaintiff's action for judicial review, pursuant to sections 205(g) and 1631(c)(3) of the Social Security Act, as amended (42 U.S.C. §§ 405(g) and 1383(c)(3)), of a final decision of the Commissioner of Social Security, which denied the Plaintiff's claim for supplemental security income benefits.

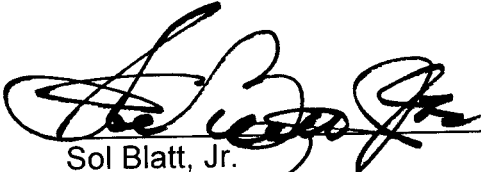
The Plaintiff filed this action on May 12, 2011, and she filed a brief in support of her case on February 9, 2012. On April 20, 2012, the Defendant filed a motion to reverse and remand the case to the Commissioner for further administrative proceedings, pursuant to sentence four of 42 U.S.C. § 405(g). In its motion, the Defendant asserts that additional administrative action is necessary because the administrative law judge improperly evaluated the opinion of the Plaintiff's treating physician and did not properly consider the Plaintiff's limitations. The Plaintiff consents to the Defendant's motion.

On May 10, 2012, the Magistrate Judge entered a report and recommendation ("R&R") in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02(B)(2)(a), recommending that the Court grant the Commissioner's unopposed motion to remand. As previously mentioned, the Plaintiff consents to remand; accordingly, the Plaintiff has not

filed written objections to the R&R, and the Court is not required to review, under a de novo or any other standard, the Magistrate Judge's factual or legal conclusions. Thomas v. Arn, 474 U.S. 140, 150 (1985).

Based on the foregoing, the Court adopts the R&R (Entry 26) and incorporates it herein, and the Court grants the Defendant's unopposed motion to remand (Entry 25). Thus, the Commissioner's final decision is reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings.

IT IS SO ORDERED.


Sol Blatt, Jr.
Senior United States District Judge

May 21, 2012
Charleston, South Carolina

#2